



ROLE OF COURTS IN ENVIRONMENTAL PROTECTION

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- WHAT IS THE ROLE OF GOVERNMENT IN ENVIRONMENTAL REGULATION?

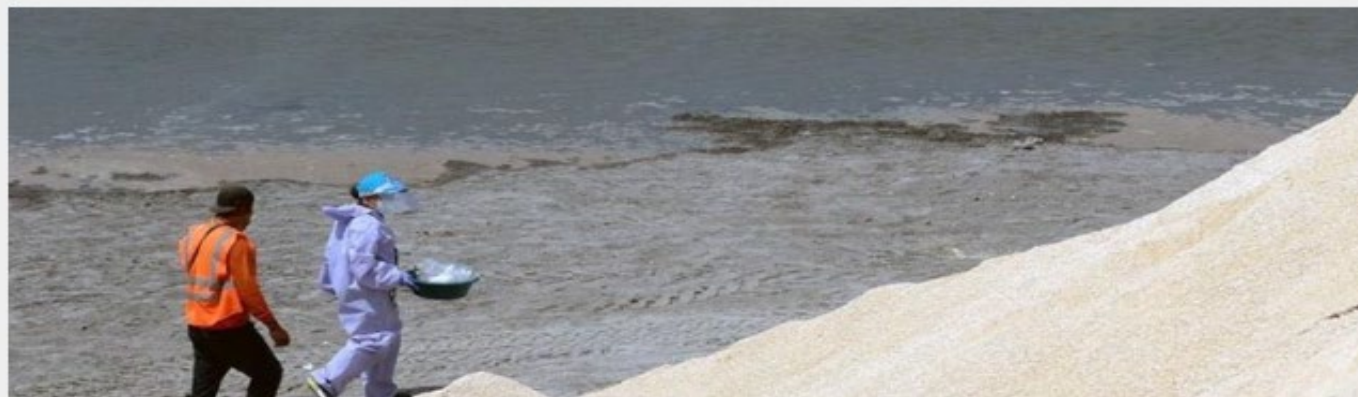
Dolomite Beach

HEADLINES

No environmental impact study needed on Manila 'beach nourishment' – DENR

Gaea Katreena Cabico - Philstar.com

September 4, 2020 | 2:37pm



Ombudsman and Sanitary Landfills

Martires recalls suspension of mayor, local execs charged under solid waste act

SEP 24, 2018 1:54 PM PHT

LIAN BUAN



‘The law is economically not feasible to be implemented especially by 5th and 6th class municipalities,’ says the new Ombudsman

ROLE OF GOVERNMENT

- Section 16. The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. (Art. II, Philippine Constitution)
- Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology. . . . (Sec. 16, Local Government Code)

ROLE OF GOVERNMENT

- **Section 2. Goal.** -- In pursuing this policy, *it shall be the responsibility of the Government, x x x, to use all practicable means*, consistent with other essential considerations of national policy, in promoting the general welfare to the end that the Nation may (a) recognize, discharge and fulfill the responsibilities of each generation *as trustee and guardian of the environment for succeeding generations*, (b) assure the people of a *safe, decent, healthful, productive and aesthetic environment*, (c) encourage the widest *exploitation of the environment without degrading it* x x x (d) preserve important historic and cultural aspects of the Philippine heritage, (e) attain a rational and orderly balance between population and resource use, and (f) improve the utilization of renewable and non-renewable resources. (PD 1151)

ROLE OF GOVERNMENT


- SECTION 4. Mandate. The Department shall be the *primary government agency responsible for the conservation, management, development and proper use of the country's environment and natural resources*, as well as the licensing and regulation of all natural resources as may be provided for by law in order to ensure equitable sharing of the benefits derived therefrom for the welfare of the present and future generations of Filipinos. (EO 192, series of 1987)

ROLE OF GOVERNMENT

- To execute and enforce the laws.
- To faithfully comply with the laws, policies, and values enunciated in the Constitution as well as Legislative enactments and objectives.
- To protect the environment, nature, and human rights.
(duty of care)

ROLE OF GOVERNMENT

- Its responsibility is not simply to sit back, like an umpire. Rather, it must itself take the initiative of considering environmental values.
- Government is an active participant in the arena of environmental protection.
- (*Calvert Cliffs Coordinating Committee v. Atomic Energy Commission*)

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- **WHAT IS THE ROLE OF COURTS IN ENVIRONMENTAL REGULATION?**

ROLE OF COURTS

- Our duty, in short, is to see that *important legislative purposes, heralded in the halls of Congress, are not lost or misdirected in the vast hallways of the federal bureaucracy. (Calvert Cliffs Coordinating Committee v. Atomic Energy Commission)*
- *Faithfully comply with the Rules of Environmental Procedure*
- *Exercise openness and adopt new innovations/approaches in the field of environmental law interpretation and enforcement.*

ROLE OF COURTS

- Our system of government is, after all, a tripartite one, with each branch having certain defined functions delegated to it by the Constitution. While "it is emphatically the province and duty of the judicial department to say what the law is," it is equally -- and emphatically -- the exclusive province of the Congress not only to formulate legislative policies and mandate programs and projects, but also to establish their relative priority for the Nation. **Once Congress, exercising its delegated powers, has decided the order of priorities in a given area, it is for the Executive to administer the laws and for the courts to enforce them when enforcement is sought. (*TVA v. Hill*)**

ROLE OF COURTS

- **ISSUE**: Should the SIP be set aside on the ground of economic and technological infeasibility?
- **HELD**: **NO**
- Since both the language of the relevant provisions of the Clean Air Amendments of 1970, and their legislative history make it clear that **Congress intended that grounds of economic and technological infeasibility be deemed wholly foreign to the Administrator's consideration of a state implementation plan**, a court of appeals reviewing an approved plan cannot set it aside on such grounds.
- (*Union Electric v. EPA*)

ROLE OF COURTS

- To allow petitioner's claims would permit a proposed plan to be struck down as infeasible before it is given a chance to work, even though Congress clearly contemplated that **some plans would be infeasible when proposed.**
- (*Union Electric v. EPA*)

TECH-FORCING SWA

- **Section 37. Prohibition Against the Use of Open Dumps for Solid Waste** - No open dumps shall be established and operated, nor any practice or disposal of solid waste by any person, including LGUs, which constitutes the use of open dumps for solid wastes, be allowed after the effectivity of this Acts: *Provided*, That within three (3) years after the effectivity of this Act, every LGU shall convert its open dumps into controlled dumps, in accordance with the guidelines set in Sec. 41 of this Act: *Provided, further*, That no controlled dumps shall be allowed five (5) years following the effectivity of this Act.



RULES OF PROCEDURE FOR ENVIRONMENTAL CASES

- A.M. No. 09-6-8-SC
- **RULES OF PROCEDURE FOR ENVIRONMENTAL CASES, EFFECTIVE APRIL 29, 2010**
- Sec. 5, Art. VIII, 1987 Constitution:
(5) Promulgate rules concerning the protection and enforcement of constitutional rights



GUIDELINES OF RULES

- (1) the Rules must reflect the concept of liberalized standing in environmental suits;
- (2) the Rules will facilitate access to courts through citizen's suits, and anti-SLAPP provisions;
- (3) the Rules should implement the basic tenets of the precautionary principle; and
- (4) the Rules must provide other innovations for the proper administration of environmental justice.

CRITICISM OF RULES



- Rules are indicative of *judicial activism*
- *Executive branch, & not the courts*, has the duty of enforcing and implementing the laws
- *Courts lack skill & expertise* to control pollution & enforce environmental rights
- Makes *judges policymakers*
- *Judges are not elected*, & the Rules are *undemocratic*

ADVANTAGES OF RULES

- Writs ensure that *environmental damage be contained/prevented* in a speedy manner
- Writs are an *indictment* of the executive branch's failure to enforce & implement the laws
- Writs ensure that *government officials perform their functions faithfully*





ADVANTAGES OF RULES

- *Obstacles to pollution control are more institutional than technical.*
- *Expertise and skill are easily gained through appropriate research and study.*
- *Courts are just enforcing laws that were enacted through democratic processes.*

RIGHT TO A BALANCED ECOLOGY

Liberal approach to standing

Rejected strict interpretation of standing in civil procedure and torts

Enshrined Oposa v. Factoran as doctrinal foundation of right

To encourage people to easily file cases

Injury in fact requirement is no longer an insuperable barrier

AVOID STRICT INTERPRETATION

- *Lujan v. Defenders of Wildlife*: plaintiff must establish that they have suffered an injury in fact, i. e., a concrete and particularized, actual or imminent invasion of a legally protected interest; rejected animal nexus and vocational nexus theories; someday intentions are speculative
- *Sierra Club v. Morton*: A person has standing to seek judicial relief only if he can show that he himself has suffered or will suffer injury, whether economic or otherwise



FOLLOW OPOSA DOCTRINE

- Petitioners' minors assert that they represent their generation as well as generations yet unborn. **We find no difficulty in ruling that they can, for themselves, for others of their generation and for the succeeding generations, file a class suit.** Their personality to sue in behalf of the succeeding generations can only be based on the concept of intergenerational responsibility insofar as the right to a balanced and healthful ecology is concerned.



CITIZEN SUIT: RULES OF PROCEDURE

- **SEC. 5. *Citizen suit*.**—Any Filipino citizen in representation of others, including minors or generations yet unborn, may file an action to enforce rights or obligations under environmental laws.



CITIZEN SUIT: CLEAN AIR ACT

- **Section 41. Citizen Suits.** - For purposes of enforcing the provisions of this Act or its implementing rules and regulations, any citizen may file an appropriate civil, criminal or administrative action in the proper courts against:
 - (a) Any person who violates or fails to comply with the provisions of this Act or its implementing rules and regulations; or
 - (b) The Department or other implementing agencies with respect to orders, rules and regulations issued inconsistent with this Act; and/or



CITIZEN SUIT: CLEAN AIR ACT

- (c) Any public officer who willfully or grossly neglects the performance of an act specifically enjoined as a duty by this Act or its implementing rules and regulations; or abuses his authority in the performance of his duty; or, in any manner, improperly performs his duties under this Act or its implementing rules and regulations: Provided, however, That no suit can be filed until thirty-day (30) notice has been taken thereon.

- **NOTE: Solid Waste Act has similar provision.**



Massachusetts

Connecticut

Rhode
Island

Case of the Week



Massachusetts v. EPA

MASSACHUSETTS V. EPA

- A litigant to whom Congress has “accorded a procedural right to protect his concrete interests” — here, the right to challenge agency action unlawfully withheld — “can assert that right without meeting all the normal standards for redressability and immediacy.”

An illustration on the left side of the slide features a stylized globe with blue and green segments. White circuit-like lines with circular nodes are overlaid on the globe. At the bottom, four hands of different skin tones (light yellow, light brown, dark brown, and light skin) are shown reaching upwards towards the globe. The background is a dark blue gradient with a few white dots.

APPLICABILITY OF RULES

- Section 2, Rule 1: Rules applicable to courts in cases involving enforcement or violations of environmental and other related laws
- Section 2 is illustrative and NOT EXCLUSIVE
- Future environmental laws are included
- So long as case has environmental dimension, should be considered as an environmental case pursuant to constitutional right to a balanced and healthful ecology



PROHIBITED PLEADINGS

- (a) Motion to dismiss the complaint;
 - (b) Motion for a bill of particulars;
 - (c) Motion for extension of time to file pleadings;
 - (d) Motion to declare the defendant in default;
 - (e) Reply and rejoinder; and
 - (f) Third party complaint.
- NOTE: JUDGES STILL ENTERTAIN THESE PLEADINGS. WHAT'S THE REMEDY?**

PROHIBITIONS ON TEPO

- **SEC. 10.** *Except the Supreme Court, no court can issue a TRO or writ of preliminary injunction* against lawful actions of government agencies that enforce environmental laws or prevent violations thereof.
- **No TRO** on smoking laws, air pollution laws, water quality laws, and solid waste laws so long as government agencies are acting towards their enforcement or preventing their violations.



PRESIDENTIAL DECREE NO. 1818

- **P.D. 1818: No court in the Philippines shall issue any restraining order** in any case involving an infrastructure project, or a mining, fishery, forest or other natural resource development project of the government, or any public utility operated by the government





REPUBLIC ACT NO. 8975

- **Section 3.** No court, except the Supreme Court, shall issue any temporary restraining order, preliminary injunction or preliminary mandatory injunction against the government to restrain, prohibit or compel the following acts:
 - (a) Acquisition, clearance and development of the right-of-way and/or site or location of any national government project;
 - (b) Bidding or awarding of contract/project of the national government as defined under Section 2 hereof;
 - (c) Commencement prosecution, execution, implementation, operation of any such contract or project;

REPUBLIC ACT NO. 8975

- (d) Termination or rescission of any such contract/project; and
- (e) The undertaking or authorization of any other lawful activity necessary for such contract/project.
- This prohibition shall not apply when the matter is of extreme urgency involving a constitutional issue, such that unless a temporary restraining order is issued, grave injustice and irreparable injury will arise.



WT CONSTRUCTION V. DPWH

- R.A. 8975 prohibits *lower courts from issuing injunctive orders* in connection with the implementation of government infrastructure projects unless the case pertains to matters of extreme urgency involving constitutional issues.





HERNANDEZ V. NAPOCOR

- **FACTS:** The construction of 29 decagon-shaped steel poles or towers to support overhead high tension cables was opposed by Dasmarinas Village residents on the ground of the structures' hazardous risks to the health and safety of the residents. The residents filed a complaint for damages with TRO with the RTC which issued a TRO. Napocor questioned the issuance of the TRO with the CA based on **PD 1818**. The CA reversed the decision of the RTC.



HERNANDEZ V. NAPOCOR

- **ISSUE:** Whether an RTC can enjoin a GOCC project notwithstanding PD 1818?
- **HELD:** Yes.
- In a spate of cases, this Court declared that although Presidential Decree No. 1818 prohibits any court from issuing injunctions in cases involving infrastructure projects, the prohibition extends only to the issuance of injunctions or restraining orders against administrative acts in controversies involving facts or the exercise of discretion in technical cases.

HERNANDEZ V. NAPOCOR

- On issues clearly outside this dimension and involving questions of law, this Court declared that courts could not be prevented from exercising their power to restrain or prohibit administrative acts.
- From the foregoing, whether there is a violation of petitioners constitutionally protected right to health and whether respondent NAPOCOR had indeed violated the Local Government Code provision on prior consultation with the affected communities are veritable questions of law that invested the trial court with jurisdiction to issue a TRO and subsequently, a preliminary injunction. As such, these questions of law divest the case from the protective mantle of **PD No. 1818**.



HERNANDEZ V. NAPOCOR

- There is not a single syllable in the circulars issued by this Court enjoining the observance of Presidential Decree No. 1818 which ties the hands of the courts from issuing a writ of preliminary injunction. What Circular 2-91 dated 15 March 1991 seeks to enjoin is the indiscriminate issuance of court injunctions. The same holds for Circular 13-93 dated 5 March 1993 and Circular 68-94.
- And, in Circular No. 7-99, judges are enjoined to observe utmost caution, prudence and judiciousness in the issuance of temporary restraining order and in the grant of writs of preliminary injunction to avoid any suspicion that its issuance or grant was for consideration other than the strict merits of the case.

HERNANDEZ V. NAPOCOR



- Presidential Decree No. 1818, however, was *not meant to be a blanket prohibition* so as to disregard the fundamental right to health, safety and well-being of a community guaranteed by the fundamental law of the land.



CLEAN AIR ACT: SLAPP

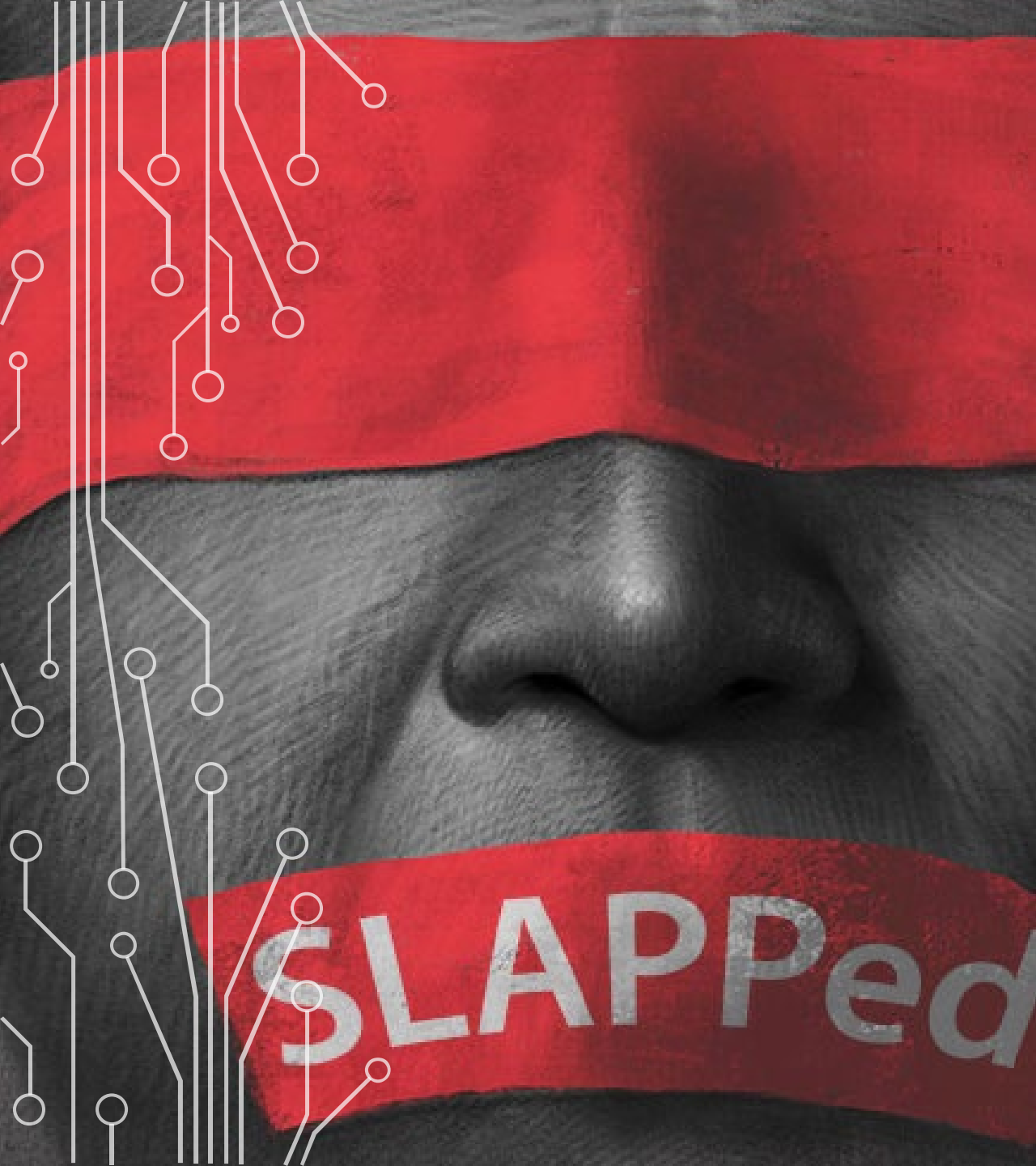
- **CLEAN AIR ACT, SEC. 43. Suits and Strategic Legal Actions Against Public Participation and the Enforcement of This Act.**- Where a suit is brought against a person who filed an action as provided in Sec. 41 of this Act, or against any person, institution or government agency that implements this Act, it shall be the duty of the investigating prosecutor or the court, as the case may be, to immediately make a determination not exceeding thirty (30) days whether said legal action has been filed to harass, vex, exert undue pressure or stifle such legal recourses of the person complaining of or enforcing the provisions of this Act.



CLEAN AIR ACT: SLAPP

- This provision shall also apply and benefit **public officers** who are sued for acts committed in their official capacity, there being no grave abuse of authority, and done in the course of enforcing this Act.

- **NOTE: The Solid Waste Act has a similar provision.**



APPLICABILITY OF SLAPP

- The Court finds no occasion to apply the foregoing rules as the Petition has no relation at all to "the enforcement of environmental laws, protection of the environment or assertion of environmental rights." R.A. No. 9262, which involves cases of violence against women and their children, is not among those laws included under the scope of A.M. No. 09-6-8-SC. (Mercado v. Lopena)



STANDARD OF DAMAGES IN TORTS

- **Market and economic values**
- The measure of damages is the difference in the commercial or market value of the property before and after the event causing injury.
- Operates on the premise that, as the cost of a restoration project goes up relative to the value of the injured resource, at some point it becomes wasteful to require responsible parties to pay the full cost of restoration.
- Assumes that natural resources are fungible goods





NATURAL RESOURCE DAMAGES

- **SEC. 16. Clean-Up Operations.** - Notwithstanding the provisions of Sections 15 and 26 hereof, any person who causes pollution in or pollutes water bodies in excess of the applicable and prevailing standards shall be responsible to **contain, remove and clean-up** any pollution incident at his own expense to the extent that the same water bodies have been rendered unfit for utilization and beneficial use.



NATURAL RESOURCE DAMAGES

- **g) Clean-up operations** - means activities involving the removal of pollutants discharged or spilled into a water body and its surrounding areas, and the restoration of the affected areas to their former physical, chemical and biological state or conditions.



NATURAL RESOURCE DAMAGES

- **Restoration costs**
 - Acquisition of an equivalent resource
 - Replacement costs
- **Use value**
- **Non-use values**
 - Contingent valuation
 - Option or existence values

VENUE OF KALIKASAN/MANDAMUS

- Regional Trial Court (mandamus)
- Court of Appeals
- Supreme Court

WHERE TO FILE

Avoid filing
with Supreme
Court

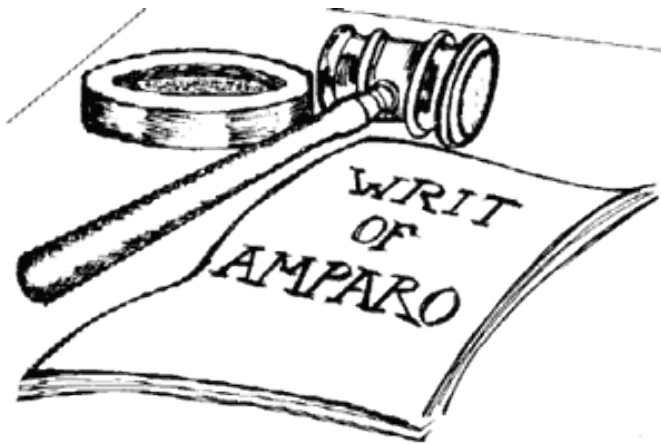
Not sure with
arguments

Lack
witnesses

Loss in the SC
sets
precedent

Sets back the
environmental
movement

HISTORY OF WRITS



- Constitutional environmental right
- Inspired by Writ of Amparo
- Based on Spanish & Latin American jurisprudence affording special adjudication for constitutional rights
- Special adjudication allows a plaintiff to go directly to a judge

HISTORY OF WRITS



- Writ of **Continuing Mandamus** has a historical antecedent in the Taj Mahal case in India
- Case prosecuted by environmental **lawyer MC Mehta**
- **India Supreme Court** ordered continuing reports and compliance by governmental agencies of court orders

BORACAY FOUNDATION V. AKLAN

- **ISSUE:** Did petitioner fail to exhaust administrative remedies?
- **HELD:** No.
- The appeal provided for under Section 6 of DENR DAO 2003-30 is only applicable if the person or entity charged with the duty to exhaust the administrative remedy of appeal to the appropriate government agency has been a party to the proceedings.
- It has been established that petitioner was never made a party to the proceedings before respondent DENR-EMB RVI.

BORACAY FOUNDATION V. AKLAN

- **ISSUE:** Did respondent province fail to perform a full EIA?
- **HELD:** Yes.
- A significant portion of the reclaimed area would be devoted to the construction of a commercial building, and the area to be utilized for the expansion of the jetty port consists of a mere 3,000 sq. m.
- The EIA report submitted by respondent Province should at the very least predict the impact that the construction of the new buildings on the reclaimed land would have on the surrounding environment.

BORACAY FOUNDATION V. AKLAN

- **ISSUE:** Whether or not there was proper, timely, and sufficient public consultation for the project?
- **HELD:** No.
- Under the Local Government Code, therefore, two requisites must be met before a national project that affects the environmental and ecological balance of local communities can be implemented: prior consultation with the affected local communities, and prior approval of the project by the appropriate sanggunian. Absent either of these mandatory requirements, the project's implementation is illegal

BORACAY FOUNDATION V. AKLAN

- Subsequent to the information campaign of respondent Province, the Municipality of Malay and the Liga ng mga Barangay-Malay Chapter still opposed the project. Thus, when respondent Province commenced the implementation project, it violated Section 27 of the LGC, which clearly enunciates that "[no] project or program shall be implemented by government authorities unless the consultations mentioned in Sections 2(c) and 26 hereof are complied with, and prior approval of the sanggunian concerned is obtained."



PAJE V. CASINO

- **FACTS:** Redondo Peninsula Energy was the project proponent for a coal-fired power plant in Subic. It was granted an ECC by the DENR for the construction of the power plant. Petitioners opposed the project and filed a petition for writ of *kalikasan* with the SC. The SC referred the case to the CA which denied the writ but which invalidated the ECC for the project.
- **ISSUE:** Can the validity of an ECC be challenged via a writ of *kalikasan*?

PAJE V. CASINO

- **HELD: Yes.**
- A **party who invokes the writ** based on alleged defects or irregularities in the issuance of an ECC must not only allege & prove such defects or irregularities but must also **provide a causal link** between the defects or irregularities in the issuance of an ECC & the actual or threatened violation of the constitutional right to a balanced & healthful ecology of the magnitude contemplated under the Rules.

PAJE V. CASINO

- An example of a defect or an irregularity in the issuance of an ECC is a case where there are **serious & substantial misrepresentations or fraud** in the application for the ECC, which would cause actual negative environmental impacts of the magnitude contemplated under the Rules, because the government agencies & LGUs may subsequently rely on such substantially defective or fraudulent ECC in approving the implementation of the project. In the case at bar, no such causal link or reasonable connection was shown or even attempted relative to the aforesaid second set of allegations.



PAJE V. CASINO

- **ISSUE:** Whether the ECC is invalid for not being signed by the project proponent?
- The signing of the Statement of Accountability is an integral & significant component of the EIA process & the ECC itself. The evident intention is to bind the project proponent to the ECC conditions.



PAJE V. CASINO

- **ISSUE:** Whether compliance with Section 27, in relation to Section 26, of the LGC (i.e., approval of the concerned *sanggunian* requirement) is necessary prior to the implementation of the power plant project?
- The issuance of an ECC does not, by itself, result in the implementation of the project. Hence, the purpose or goal of Sections 26 and 27 of the LGC, like Section 59 of the IPRA Law, does not yet obtain and, thus, the ECC may be issued even without prior compliance with Sections 26 & 27 of the LGC.



PRES. DECREE NO. 1151: PH ENVIRONMENT POLICY

Section 4: Environmental Impact Statement

- All agencies & instrumentalities of national government (including government-owned or controlled corporations, private corporations, firms & entities) shall prepare, file & include in every action, project or undertaking which significantly affects quality of environment a detailed statement xxx



SEC. 2, PD 1586

- Environmental Impact Statement System founded & based on environmental impact statement required, **under Section 4 of Presidential Decree No. 1151**, of all agencies & instrumentalities of national government, (including government-owned or controlled corporations, private corporations, firms & entities), for every **proposed project & undertaking which significantly affect quality of environment.**



IS ECC A PERMIT?

- **SECTION 38. Permit for Solid Waste Management Facility Construction and Expansion.** — No person shall commence operation, including site preparation and construction of a new solid waste management facility or the expansion of an existing facility until said person obtains an Environmental Compliance Certificate (ECC) from the Department pursuant to P.D. 1586 and other permits and clearances from concerned agencies. (Solid Waste Act)

EIS AND PROGRAMMATIC EIS

- Section 17 of Republic Act 9275 or Clean Water Act

**Foregoing applies only to water quality cases,
almost all projects now
would have an effect on water quality.**

as an industrial estate, an export processing zone, or a development zone identified in a local land use plan.



REPUBLIC V. CITY OF DAVAO

- **FACTS:** Davao filed an application for a Certificate of Non-Coverage for its proposed project, the Davao City Artica Sports Dome, with the EMB Region XI.
- The EMB Region XI denied the application after finding that the proposed project was within an environmentally critical area and ruled that Davao must secure an Environmental Compliance Certificate (ECC).



REPUBLIC V. CITY OF DAVAO

- Davao claimed that it was the ministerial duty of EMB Region XI to issue a CNC.
- RTC ruled in favor of Davao City. RTC claimed that LGUs were excluded from the EIS System and that the project was not within an ECA.
- **ISSUE I: Whether an LGU is subject of the EIS System?**

REPUBLIC V. CITY OF DAVAO



- HELD: Yes.
- When exercising governmental powers and performing governmental duties, an LGU is an agency of the national government.
- Found in Section 16 of the Local Government Code is the duty of the LGUs to promote the peoples right to a balanced ecology. As a body politic endowed with governmental functions, an LGU has the duty to ensure the quality of the environment, which is the very same objective of PD 1586.



REPUBLIC V. CITY OF DAVAO

- **Section 4 of PD 1586** states that no person, partnership or corporation shall undertake or operate any environmentally critical project or area without first securing an Environmental Compliance Certificate. The state and its political subdivisions, i.e., the local government units, are juridical persons.
- Undoubtedly therefore, local government units are not excluded from the coverage of PD 1586.



PRECAUTIONARY PRINCIPLE

- When human activities may lead to threats of serious and irreversible damage to the environment that is scientifically plausible but uncertain, actions shall be taken to avoid or diminish that threat.



PRECAUTIONARY PRINCIPLE

- When there is a **lack of full scientific certainty** in establishing a causal link between human activity and environmental effect, the court shall apply the precautionary principle.
- The **constitutional right of the people** to a balanced and healthful ecology shall be given the benefit of the doubt.

PRECAUTIONARY PRINCIPLE

- **Factors:**
 - (1) **threats** to human life or health;
 - (2) **inequity** to present or future generations; or
 - (3) **prejudice** to the environment without legal consideration of the environmental rights of those affected.



ISAA V. GREENPEACE

- The precautionary principle should be treated as a **principle of last resort**, where application of the regular Rules of Evidence would cause an inequitable result for the environmental plaintiff
- When these features — uncertainty, the possibility of irreversible harm, and the possibility of serious harm — coincide, the case for the precautionary principle is strongest. **When in doubt, cases must be resolved in favor of the constitutional right to a balanced and healthful ecology.**



DOCUMENTARY EVIDENCE

- Photographs, videos & similar evidence shall be admissible when authenticated by:
 - the person who took the same,
 - by some other person present when said evidence was taken, or
 - by any other person competent to testify on the accuracy thereof.

THE DEVIL AND THE LAW

- The law, Roper, the law. I know what's legal, not what's right. And I'll stick to what's legal. . . . I'm not God. The currents and eddies of right and wrong, which you find such plain-sailing, I can't navigate, I'm no voyager. But in the thickets of the law, oh there I'm a forester. . . . What would you do? Cut a great road through the law to get after the Devil? . . . And when the last law was down, and the Devil turned round on you -- where would you hide, Roper, the laws all being flat? . . .

THE DEVIL AND THE LAW

- This country's planted thick with laws from coast to coast -- Man's laws, not God's -- and if you cut them down . . . , d'you really think you could stand upright in the winds that would blow then? . . . Yes, I'd give the Devil benefit of law, for my own safety's sake.”
- - Sir Thomas More (A Man for All Seasons)

Thank you !

